

Amendment under 37 C.F.R. § 1.116  
U.S. Application No. 09/546,189

### REMARKS

Claims 1-22 have been examined. Also, the Examiner has indicated that claims 20-22 are allowed, and claims 7-9 and 11-19 contain allowable subject matter.

#### **I. Preliminary Matters**

The Examiner has not acknowledged the Information Disclosure Statement submitted on September 4, 2003. Accordingly, Applicant respectfully requests that the Examiner provide an initialed PTO 1449 form with the next Office Action. Further, Applicant submitted an Information Disclosure Statement on February 25, 2004. Accordingly, Applicant respectfully requests the Examiner to provide the initialed PTO 1449 for the February 25, 2004 Information Disclosure Statement as well.

#### **II. Rejections under 35 U.S.C. § 102(e) in view of U.S. Patent No. 6,535,292 to Kuroi ("Kuroi")**

The Examiner has rejected claims 1-6 and 10 under 35 U.S.C. § 102(e) as being anticipated by Kuroi.

##### **A. Claim 1**

Applicant submits that claim 1 is patentable over the cited reference. For example, claim 1 recites that a plurality of print commands, converted from a print data, are stored into a memory. Each of the print commands are read from the memory to transmit the print command to a printing apparatus. After one of the print commands is read from the memory, the area of

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the memory where the print command was stored, is rendered rewritable so that another print command, which is converted from the print data, can be stored in the area.

The Examiner maintains that Kuroi discloses the above features. However, Applicant respectfully disagrees with the Examiner. For example, Kuroi discloses that a band memory or area on a RAM 2 is used to store a rasterized print image of a print request (col. 7, lines 1-4). When the print request for the band area that is being processed has been finished, the band area is divided into segments and a printer control command corresponding to each of the segment areas is formed (col. 7, lines 20-26). Further, once it is decided that the print request received from the application indicates the end of the printing, the band memory or area is released from the RAM 2 and the processes are finished (col. 7, lines 32-35). Thus, it appears that once the processing is finished, the entire band area relating to that print data, i.e. all print control commands of all segments, is released from the RAM 2 at the same time.

On the contrary, as stated above, claim 1 recites that after one of the print commands is read from the memory, the area of the memory where the command was stored is rendered rewritable so that another print command, which is converted from "said" (i.e. the same) print data, can be stored in the area. There is no disclosure in Kuroi that each segment (i.e. which contains a printer control command) of the print request is released upon being read, such that other segments corresponding to the print request can be stored in that area. Rather, as indicated above, Kuroi appears to disclose that all segments of the entire band memory are released at once, when processing is finished.

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In view of the above, Applicant submits that claim 1 is patentable over the cited reference, and respectfully requests the Examiner to reconsider and withdraw the rejection.

**B. Claim 2**

Since claim 2 is dependent upon claim 1, Applicant submits that such claim is patentable at least by virtue of its dependency.

**C. Claim 3**

Applicant submits that claim 3 is patentable over the cited reference. For example, claim 3 recites that the memory records a size of the memory and a data amount presently stored in a memory, as control data.

The Examiner refers to column 6, lines 53-58 of Kuroi, as disclosing the above feature. However, such portion of Kuroi merely discloses different memory areas of the RAM 2 (Fig. 3). There is no teaching or suggestion that a size or data amount stored in each of the memory areas is recorded as "control data", as recited in claim 3. Accordingly, Applicant submits that claim 3 is patentable over the cited reference.

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**D. Claim 4**

Applicant submits that claim 4 is patentable over the cited reference. For example, claim 4 recites that the recording medium records thereon a program containing information indicative of a position within the memory where the print command is stored, as the control data.

Similar to the rejection of claim 3, the Examiner maintains that column 6, lines 53-58 of Kuroi disclose such a feature. However, as stated above, such portion of Kuroi merely discloses different memory areas of the RAM 2 (Fig. 3). Accordingly, Applicant submits that claim 4 is patentable over the cited reference.

**E. Claims 5 and 6**

Although claims 1-6 and 10 are indicated as being rejected under 35 U.S.C. § 102(e) in view of Kuroi, the Examiner's rejection of claims 5 and 6 refer to EP 0685819 to Campbell ("Campbell") (pg. 3 of Office Action). Therefore, it appears that the Examiner intended to reject claims 5 and 6 under 35 U.S.C. § 103(a) in view of Kuroi and Campbell.

Nonetheless, since claims 5 and 6 are dependent upon claim 1, and Campbell fails to cure the deficient teachings of Kuroi, Applicant submits that such claims are patentable over the cited references.

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**F. Claim 10**

Since claim 10 contains features which are analogous to the features recited in claim 1, Applicant submits that such claim is patentable for at least analogous reasons as presented above.

**III. Allowable Subject Matter**

As noted above, the Examiner has indicated that claims 20-22 are allowed and claims 7-9 and 11-19 contain allowable subject matter, but are objected to due to their dependency upon a rejected base claim.

In the August 20, 2003 Amendment, Applicant noted to the Examiner that claim 15 is written in **independent** form, and claims 16-19 depend from claim 15. Therefore, Applicant submits that claims 15-19 should be considered "allowed", rather than objected to as dependent upon a rejected base claim. Applicant respectfully requests clarification from the Examiner.

**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

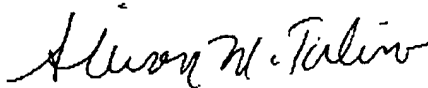
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Respectfully submitted,



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